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Attorney's Docket No.: 17109-013001 / 923



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Rene Gantier et al.                      Art Unit : 1645  
Serial No. : 10/658,355                              Examiner : Unknown  
Filed : September 8, 2003                          Cust. No. : 20985  
Conf. No. : 3519  
Title : RATIONAL DIRECTED PROTEIN EVOLUTION USING TWO-  
              DIMENSIONAL RATIONAL MUTAGENESIS SCANNING

**Mail Stop Amendment**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**TRANSMITTAL LETTER**

Dear Sir:

Transmitted herewith are a Supplemental Information Disclosure Statement and Forms PTO-1449 (6) pages and cited references for filing in connection with the above-identified application. Because this Supplemental Information Disclosure Statement is filed prior to receipt of a first office action on the merits in the above-referenced application, no fee is due. However, should it be determined that a fee for filing these papers is required, the Commissioner is authorized to charge Deposit Account No. 06-1050, as stated below:



The Commissioner is hereby authorized to charge any fees that may be due in connection with this paper or with this application during its entire pendency to Deposit Account No. 06-1050. A duplicate of this sheet is enclosed.

Respectfully submitted,

\_\_\_\_\_  
Stephanie L. Seidman  
Reg. No. 33,779

Attorney Docket No. 17109-013001 / 923

**Address all correspondence to:**

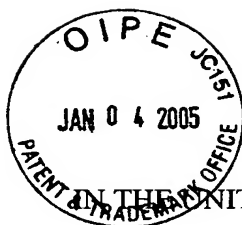
Stephanie L. Seidman  
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## CERTIFICATE OF MAILING BY "EXPRESS MAIL"

"Express Mail" Mailing Label Number EV 399318492 US  
Date of Deposit January 4, 2005

I hereby certify that this paper is being deposited with the United States Postal "Express Mail Post Office to Addressee" Service under 37 CFR §1.10 on the date indicated above and is addressed to: Commissioner for Patents, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA, 22313-1450.

\_\_\_\_\_  
Stephanie L. Seidman



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**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT IN  
ACCORDANCE WITH 37 C.F.R. §§ 1.97-1.98**

Because this Supplemental Information Disclosure Statement is filed before the receipt of a First Office Action on the Merits for the above-captioned application, a fee for filing this statement should not be due. If, however, it is determined that a fee is due, any fees that may be due in connection with filing this paper may be charged to Deposit Account No. 06-1050.

In accordance with the duty of disclosure imposed by 37 C.F.R. §1.56 to inform the Patent Office of all references known by Applicant or Applicant's representative that may be material to the examination of the subject application, Applicant's representative hereby provides this Supplemental Information Disclosure Statement that is prepared in accordance with 37 C.F.R. §§1.97-1.98. Forms PTO-1449 (6 pages) and copies of the cited non U.S. Patent documents are provided herewith.

The documents cited on the Forms PTO-1449 are in the English language, with the exception of items AY (International PCT Publication WO 02/16606) which is in the French language and supplied with an English language translation (item BO). Provided herewith are certified English translations of PCT Patent Publication Nos. WO 01/44809 and WO 01/86291 (items DV and BN, respectively). The PCT Patent Publications were each provided in the IDS filed January 8, 2004. Hence, in accordance with the requirements of 37 C.F.R. §1.98, as amended effective March 16, 1992, no further explanation of the listed items is necessary.

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Stephanie L. Reidman

Since the last Supplemental Information Disclosure Statement was filed on November 8, 2004, applicant also makes known to the Examiner the following pending U.S., International and National Phase Applications that have one or more common inventors and/or are commonly owned:

U.S.S.N.	Filing Date	Docket No.
60/625,652	11/4/04	P925

Although these documents are made known to the Patent and Trademark Office in compliance with Applicant's duty of disclosure, such disclosure is not to be construed as an admission by Applicant or Applicant's representative that any of the references, singly or in any combination thereof, is effective as prior art against the subject application. In accordance with 37 C.F.R. §1.97(h), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 C.F.R. §1.56(b) exists.

Applicant respectfully requests that the Examiner review the foregoing references and they be made of record in the file history of the above-captioned application.

Respectfully Submitted,

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Stephanie L. Seidman  
Reg. No. 33,779

Attorney Docket No. 17109-013001 / 923

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Substitute Form PTO-1449 (Modified)  <b>List of Patents and Publications for Applicant's          Information Disclosure Statement</b>  (37 CFR §1.98(b))	U.S. Department of Commerce Patent and Trademark Office	Attorney's Docket No. 17109-013001 / 923	Application No. 10/658,355
	Applicant Rene Gantier et al.		
	Filing Date September 8, 2003	Group Art Unit 1645	

### U.S. Patent Documents

Examiner Initial	Desig. ID	Document Number	Publication Date	Patentee	Class	Subclass	Filing Date If Appropriate
	AA	4797368	01/10/89	Carter et al.	435	320	03/15/85
	AB	5139941	08/18/92	Muzyczka et al.	435	172.3	10/25/91
	AC	5571698	11/05/96	Ladner et al.	435	69.7	06/18/93
	AD	5723323	03/03/98	Kauffman et al.	435	172.3	12/02/94
	AE	5753500	05/19/98	Shenk et al.	435	320.1	04/03/95
	AF	5763239	06/09/98	Short et al.	435	172.1	06/18/96
	AG	5770434	06/23/98	Huse	435	252.33	05/15/95
	AH	5779434	07/14/98	De Long	415	104	02/06/97
	AI	5798390	08/25/98	Weber et al.	514	634	05/22/95
	AJ	5837500	11/17/98	Ladner et al.	435	69.7	04/03/95
	AK	5862514	01/19/99	Huse et al.	702	22	12/06/96
	AL	5871974	02/16/99	Huse	435	69.7	12/02/94
	AM	6001574	12/14/99	Short et al.	435	6	03/04/98
	AN	6057103	05/02/00	Short	435	6	08/26/97
	AO	6096548	08/01/00	Stemmer	435	440	02/03/97
	AP	6117679	09/12/00	Stemmer	435	440	05/25/96
	AQ	6127175	10/03/00	Vigne et al.	435	325	07/17/97
	AR	6132970	10/17/00	Stemmer	435	6	06/19/98
	AS	6156509	12/05/00	Schellenberger	435	6	11/12/97
	AT	6165793	12/26/00	Stemmer	435	440	05/08/98
	AU	6174673	01/16/01	Short et al.	435	6	06/16/98
	AV	6180406	01/30/01	Stemmer	435	440	06/17/98
	AW	6238884	05/29/01	Short et al.	435	69.1	03/09/99
	AX	6258530	07/10/01	Huse	435	6	12/30/94

### Foreign Patent Documents or Published Foreign Patent Applications

Examiner Initial	Desig. ID	Document Number	Publication Date	Country or Patent Office	Class	Subclass	Translation	
							Yes	No

Examiner Signature	Date Considered
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EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Substitute Form PTO-1449 (Modified)		U.S. Department of Commerce Patent and Trademark Office		Attorney's Docket No. 17109-013001 / 923		Application No. 10/658,355	
List of Patents and Publications for Applicant's Information Disclosure Statement  (37 CFR §1.98(b))				Applicant Rene Gantier et al.			
				Filing Date September 8, 2003		Group Art Unit 1645	
<b>Foreign Patent Documents or Published Foreign Patent Applications</b>							
Examiner Initial	Desig. ID	Document Number	Publication Date	Country or Patent Office	Class	Subclass	Translation Yes No
	AY	02/16606	02/28/02	PCT			X
	AZ	99/11764	11/15/01	PCT			

Other Documents (include Author, Title, Date, and Place of Publication)		
Examiner Initial	Desig. ID	Document
	BA	Altschul et al., "Basic Local Alignment Search Tool", J. Molec. Biol., 215:403-410 (1990)
	BB	Ashktorab et al., "Identification of Nuclear Proteins That Specifically Interact with Adeno-Associated Virus Type 2 Inverted Terminal Repeat Hairpin DNA", Journal of Virology, 63:3034-3039 (1989)
	BC	ATCC accession no. VR-1449, "Simian virus 15", (accessed on 09/05/2002)
	BD	ATCC accession no. VR-645, "Adeno-associated virus 1 deposited as Adeno-associated (satellite) virus type 1", (accessed on 09/05/2002)
	BE	ATCC accession no. VR-646, "Adeno-associated virus 4 deposited as Adeno-associated virus type 4", (accessed on 09/05/2002)
	BF	ATCC accession no. VR-680, "Adeno-associated virus 2 deposited as Adeno-associated virus type 2", (accessed on 09/05/2002)
	BG	ATCC accession no. VR-681, "Adeno-associated virus 3 deposited as Adeno-associated virus type 3", (accessed on 09/05/2002)
	BH	Atkinson et al., "A high-throughput hybridization method for titer determination of viruses and gene therapy vectors", Nucleic Acids Research., 26:2821-2823 (1998)
	BI	Batchu et al., "Disassociation of Conventional DNA Binding and Endonuclease Activities by an Adeno-Associated Virus Rep78 Mutant", Biochemical And Biophysical Research Communications, 210:717-725 (1995)
	BJ	Beaton et al., "Expression from the Adeno-Associated Virus p5 and p19 Promoters Is Negatively Regulated in trans by the rep Protein", Journal of Virology, 63:4450-4454 (1989)
	BK	Beck-Sickinger et al., "Complete L-alanine scan of neuropeptide Y reveals ligands binding to Y1 and Y2 receptors with distinguished conformations", Eur. J. Biochem., 223:947-958 (1994)
	BL	Carrillo et al., "The Multiple Sequence Alignment Problem in Biology", SIAM J. Applied Math, 48:1073-1082 (1988)
	BM	Cassinotti et al., "Organization of the Adeno-Associated Virus (AAV) Capsid Gene: Mapping of a Minor Spliced mRNA Coding for Virus Capsid Protein 1", Virology, 167:176-184 (1988)
	BN	Certified English Translation of PCT Patent Application No. WO 01/86291, "Method for Determining the Titer of Biological Agents in Living Target Cells."
	BO	Certified English Translation of PCT Patent Application No. WO 02/16606, "Method for Massive Directed Mutagenesis."
	BP	Chadeuf et al., "Efficient recombinant adeno-associated virus production by a stable rep-cap HeLa cell line correlates with adenovirus-induced amplification of the integrated rep-cap genome", J. Gene Med., 2:260-268 (2000)

Examiner Signature	Date Considered
EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	

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<b>List of Patents and Publications for Applicant's Information Disclosure Statement</b>  (37 CFR §1.98(b))				Applicant Rene Gantier et al.			
				Filing Date September 8, 2003		Group Art Unit 1645	
<b>Other Documents (include Author, Title, Date, and Place of Publication)</b>							
Examiner Initial	Desig. ID	Document					
	BQ	Charbord <i>et al.</i> "Normal human granulo monocytic bone marrow progenitor cells responsiveness to colony stimulating activity" <i>Nouv. Rev. Fr. Hematol.</i> 22: 357-370, (1980)					
	BR	Chejanovsky <i>et al.</i> , "Mutagenesis of an AUG Codon in the Adeno-Associated Virus rep Gene: Effects on Viral DNA Replication", <i>J. Virology</i> , 173:120-128 (1989)					
	BS	Chejanovsky <i>et al.</i> , "Mutation of a Consensus Purine Nucleotide Binding Site in the Adeno-Associated Virus rep Gene Generates a Dominant Negative Phenotype for DNA Replication", <i>J. Virology</i> , 64:1764-1770 (1990)					
	BT	Cullen <i>et al.</i> , "Analysis of the Physical State of Different Human Papillomavirus DNAs in Intraepithelial and Invasive Cervical Neoplasm", <i>Journal of Virology</i> , 65:606-612 (1991)					
	BU	Davis <i>et al.</i> "High throughput method for creating and screening recombinant adenoviruses" <i>Gene Therapy</i> 5(8):1148-1152 (1998)					
	BV	Davis <i>et al.</i> , "Analysis of the Effects of Charge Cluster Mutations in Adeno-Associated Virus Rep68 Protein In Vitro", <i>Journal of Virology</i> , 73:2084-2093 (1999)					
	BW	Davis <i>et al.</i> , "Mutational Analysis of Adeno-Associated Virus Type 2 Rep68 Protein Endonuclease Activity on Partially Single-Stranded Substrates", <i>Journal of Virology</i> , 74:2936-2942 (2000)					
	BX	Deng <i>et al.</i> , "Site-Directed Mutagenesis of Virtually Any Plasmid by Eliminating a Unique Site", <i>Analytical Biochemistry</i> , 200:81-88 (1992)					
	BY	Derwent # 013914049, WPI Acc. No. 2001-398262/200142, for French Patent FR 2802645 and PCT Patent Application WO 2001/44809 "Evaluating the performance of complex biological agents in target cells, for selecting gene therapy vectors with optimal properties, comprises constructing a theoretical curve"					
	BZ	Derwent # 014262217, WPI Acc. No. 2002-082915/200211, for PCT Patent Application WO 2001/86291 A1, "Determining titer of biological agent, useful e.g. for gene therapy vectors or vaccines, is based on measuring reaction with cells at constant concentration, over a specified time period"					
	CA	Devereux <i>et al.</i> , "A comprehensive set of sequence analysis programs for the VAX", <i>Nucleic Acids Research</i> , 12(I):387-395 (1984)					
	CB	Gavin <i>et al.</i> , "Charge-to-Alanine Mutagenesis of the Adeno-Associated Virus Type 2 Rep78/68 Proteins Yields Temperature-Sensitive and Magnesium-Dependent Variants", <i>Journal of Virology</i> , 73:9433-9445 (1999)					
	CC	Genbank accession no. NC_001401, Nucleotide, "Adeno-associated virus 2, complete genome", (accessed on 09/05/02)					
	CD	Genbank accession no. NC_001729, Nucleotide, "Adeno-associated virus 3, complete genome", (accessed on 09/05/02)					
	CE	Genbank accession no. NC_001829, Nucleotide, "Adeno-associated virus 4, complete genome", (accessed on 09/05/2002)					
	CF	Genbank accession no. NC_001863, Nucleotide, "Adeno-associated virus 3B, complete genome", (accessed on 09/05/2002)					
	CG	Genbank accession no. NC_002077, Nucleotide, "Adeno-associated virus 1, complete genome", (accessed on 09/05/2002)					
	CH	Gibbs <i>et al.</i> , "Rational Scanning Mutagenesis of a Protein Kinase Identifies Functional Regions Involved in Catalysis and Substrate Interactions", <i>Journal of Biology Chemistry</i> , 266:8923-8931 (1991)					
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	CI	Gribskov et al., "Sigma factors from E. coli, B. subtilis, phage SP01, and phage T4 are homologous proteins", Nucleic Acids Research, 14:6745-6763 (1986)					
	CJ	Hermonat et al., "Genetics of Adeno-Associated Virus: Isolation and Preliminary Characterization of Adeno-Associated Virus Type 2 Mutants", Journal of Virology, 51:329-339 (1984)					
	CK	Hermonat, P.L., "Down-regulation of the human c-fos and c-myc proto-oncogene promoters by adeno-associated virus Rep78", Cancer Letters, 81:129-136 (1994)					
	CL	Hill A.V., "The possible effects of the aggregation of the molecules of haemoglobin on its dissociation curves", Proceedings of the Physiological, Journal of Physiology, 40:iv-vii (1910)					
	CM	Hill et al., "XLVII. The Combinations Of Haemoglobin With Oxygen And With Carbon Monoxide", I. Biochem. J., 7:471-480 (1913)					
	CN	Horer et al., "Mutational Analysis of Adeno-Associated Virus Rep Protein-Mediated Inhibition of Heterologous and Homologous Promoters", Journal of Virology, 69:5485-5496 (1995)					
	CO	Im et al., "Partial Purification of Adeno-Associated Virus Rep78, Rep52, and Rep40 and Their Biochemical Characterization", Journal of Virology, 66:1119-1128 (1992)					
	CP	Im et al., "The AAV Origin Binding Protein Rep68 Is an ATP-Dependent Site-Specific Endonuclease with DNA Helicase Activity", Cell, 61:447-457 (1990)					
	CQ	Kechli et al., "Expression of the Human Immunodeficiency Virus Type 1 Primer Binding Sequence Inhibits HIV-1 Replication", Human Gene Therapy, 9:587-590 (1998)					
	CR	Kyostio et al., "Analysis of Adeno-Associated Virus (AAV) Wild-Type and Mutant Rep Proteins for Their Abilities To Negatively Regulate AAV p5 and p19 mRNA Levels", Journal of Virology, 68:2947-2957 (1994)					
	CS	Kyostio et al., "Identification of Mutant Adeno-Associated Virus Rep Proteins Which Are Dominant-Negative For DNA Helicase Activity", Biochemical and Biophysical Research Communications, 220:294-299 (1996)					
	CT	Kyostio et al., "Negative Regulation of the Adeno-Associated Virus (AAV) P5 Promoter Involves both the P5 Rep Binding Site and the Consensus ATP-Binding Motif of the AAV Rep68 Protein", Journal of Virology, 69:6787-6796 (1995)					
	CU	Marcello et al., "Adeno-Associated Virus Type 2 Rep Protein Inhibits Human Papillomavirus Type 16 E2 Recruitment of the Transcriptional Coactivator p300", Journal of Virology, 74:9090-9098 (2000)					
	CV	Matsushita et al., "Localization of von Willebrand Factor-binding Sites for Platelet Glycoprotein Ib and Botrocetin by Charged-to-Alanine Scanning Mutagenesis", Journal of Biology Chemistry, 275:11044-11049 (2000)					
	CW	McCarty et al., "Analysis of Mutations in Adeno-Associated Virus Rep Protein In Vivo and In Vitro", Journal of Virology, 66:4050-4057 (1992)					
	CX	Mendelson et al., "Identification of the trans-Acting Rep Proteins of Adeno-Associated Virus by Antibodies to a Synthetic Oligopeptide", Journal of Virology, 60:823-832 (1986)					
	CY	Mittereder et al., "Evaluation of the Concentration and Bioactivity of Adenovirus Vectors for Gene Therapy", Journal of Virology, 70:7498-7509 (1996)					
	CZ	Moullier et al., "Comparative binding of wheat germ agglutinin and its succinylated form on lymphocytes" <i>European J. Biochem.</i> 161:197-204 (1986)					
	DA	Needleman et al., "A General Method Applicable to the Search for Similarities in the Amino Acid Sequence of Two Proteins", Journal of Molec. Biol., 48:443-453 (1970)					
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	DB	Nelson et al., "Characterization of Diverse Viral Vector Preparations, Using a Sample and Rapid Whole-Virion Dot-Blot Method", Hum. Gene Ther., 9:2401-2405 (1998)					
	DC	Ni et al., "In Vitro Replication of Adeno-Associated Virus DNA", Journal of Virology, 68:1128-1138 (1994)					
	DD	Owens et al., "Adeno-Associated Virus Rep Proteins Produced in Insect and Mammalian Expression Systems: Wild-Type and Dominant-Negative Mutant Proteins Bind to the Viral Replication Origin", Journal of Virology, 184:14-22 (1991)					
	DE	Owens et al., "Identification of a DNA-Binding Domain in the Amino Terminus of Adeno-Associated Virus Rep Proteins," J. Virology, 67(2):997-1005 (1993)					
	DF	Owens et al., "In Vitro Resolution of Adeno-Associated Virus DNA Hairpin Termini by Wild-Type Rep Protein Is Inhibited by a Dominant-Negative Mutant of Rep", Journal of Virology, 66:1236-1240 (1992)					
	DG	Pearson et al., "Improved tools for biological sequence comparison", Proc. Natl. Acad. Sci. USA, 85:2444-2448 (1988)					
	DH	Press Release 10; "Nautilus Biotech and Microbix Biosystems, Inc. (TSE: MBX) sign a distribution agreement for rAAV high-producer cells"; Paris- January 11, 2002; <a href="http://www.nautilusbiotech.com/news-pressrelease10.php3">http://www.nautilusbiotech.com/news-pressrelease10.php3</a> , accessed on (2/28/02)					
	DI	Press Release 11; "Nautilus Biotech granted patent covering molecular fitness analysis with key applications in directed evolution and functional genomics target identification"; Paris- February 6, 2002; <a href="http://www.nautilusbiotech.com/news-pressrelease11.php3">http://www.nautilusbiotech.com/news-pressrelease11.php3</a> , accessed on (2/28/02)					
	DJ	Press Release 6; "Nautilus Biotech S.A. Files a Key Patent Application in the U.S."; Paris- September 14, 2001; <a href="http://www.nautilusbiotech.com/news-pressrelease6.php3">http://www.nautilusbiotech.com/news-pressrelease6.php3</a> , accessed on (2/28/02)					
	DK	Press Release 7; "Nautilus Biotech optimizes the AAV rep protein to increase rAAV productivity"; Paris- September 21, 2001; <a href="http://www.nautilusbiotech.com/news-pressrelease7.php3">http://www.nautilusbiotech.com/news-pressrelease7.php3</a> , accessed on (2/28/02)					
	DL	Ropp et al., "Aequorea Green Fluorescent Protein Analysis by Flow Cytometry", Cytometry, 21:309-317 (1995)					
	DM	Ruffing et al., "Mutations in the carboxy terminus of adeno-associated virus 2 capsid proteins affect viral infectivity: lack of an RGD integrin-binding motif", J. Gen. Virol., 75:3385-3392 (1994)					
	DN	Ryan et al., "Sequence Requirements for Binding of Rep68 to the Adeno-Associated Virus Terminal Repeats", Journal of Virology, 70:1542-1553 (1996)					
	DO	Salvetti et al., "Factors Influencing Recombinant Adeno-Associated Virus Production", Hum. Gene Ther., 20:695-706 (1998)					
	DP	Samulski et al., "A Recombinant Plasmid from Which an Infectious Adeno-Associated Virus Genome Can Be Excised In Vitro and Its Use To Study Viral Replication", Journal of Virology, 61:3096-3101 (1987)					
	DQ	Schumann et al., "Intracellular Ca <sup>2+</sup> inhibits smooth muscle L-type Ca <sup>2+</sup> channels by activation of protein phosphatase type 2B and by direct interaction with the channel", J. General Physiology 110: 503-513, (1997)					
	DR	Schwartz et al., "Matrices for Detecting Distant Relationships", Atlas of Protein Sequence and Structure, National Biomedical Research Foundation, pp. 353-358 (1978)					
	DS	Smith et al., "Comparison of Biosequences", Advances in Applied Mathematics, 2:482-489 (1981)					
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**Other Documents (include Author, Title, Date, and Place of Publication)**

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	DT	Srivastava et al., "Nucleotide Sequence and Organization of the Adeno-Associated Virus 2 Genome", Journal of Virology, 45:555-564 (1983)
	DU	Tessier et al., "Characterization of Adenovirus-Induced Inverted Terminal Repeat-Independent Amplification of Integrated Adeno-Associated Virus rep-cap Sequences", Journal of Virology, 75:375-383 (2001)
	DV	Translation of PCT Patent Application WO 01/44809, "Methods for Screening or Assessing the Performance of a Collection of Biological Agents in Living Parget Cells, And Their Applications"
	DW	Urabe et al., "Charged-to-Alanine Scanning Mutagenesis of the N-Terminal Half of Adeno-Associated Virus Type 2 Rep78 Protein", Journal of Virology, 23:2682-2693 (1999)
	DX	Walker et al., "Mutational Analysis of the Adeno-Associated Virus Type 2 Rep68 Protein Helicase Motifs", Journal of Virology, 71:6996-7004 (1997)
	DY	Walker et al., "Mutational Analysis of the Adeno-Associated Virus Rep68 Protein: Identification of Critical Residues Necessary for Site-Specific Endonuclease Activity", Journal of Virology, 71:2722-2730 (1997)
	DZ	Watson et al., "Molecular Biology of the Gene", 4th Ed., The Benjamin/Cummings Pub. Co., p. 224, (1987)
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Examiner Signature	Date Considered
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